



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,641	11/29/2001	Heino Wendelrup	032927-026	1652

7590 03/01/2006

Ronald L. Grudziecki
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, VA 22313-1404

EXAMINER

ELCENKO, ERIC J

ART UNIT	PAPER NUMBER
----------	--------------

2643

DATE MAILED: 03/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/995,641

Applicant(s)

WENDEL RUP, HEINO

Examiner

Eric Elcenko

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/16/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 29 November 2001 is being considered by the examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8, 10-21 rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al. (U.S. Pub. No. 2005/0085263).

In regard to Claim 1 and 8, Kim et al teaches a “Portable Composite Communication Terminal for Transmitting/receiving Voice and Images and Operation Method and Communication System thereof. Kim et al. discloses a portable composite terminal, known throughout the disclosure as a mobile videophone, MVP. In regard to Claim 3, the MVP

Art Unit: 2643

includes a camera unit 2 for capturing the image of an object, a portable phone unit 4 for transmitting/receiving voices or images, a display 8 for displaying images and characters, and an interface unit 6 for interfacing between the portable phone unit 4 and the display 8. After the image is captured it is run through an ADC 16 converting the gain-controlled image signal to a digital signal. Images to be displayed or saved is converted to a digital signal and input to a DSP 18, which processed the signal into an image signal of NTSC or PAL format. (Para 24) In regard to Claim 4, images to be saved in memory are controlled by the phone controller 32 and saved in fourth memory 36. (Para 28) In regards to Claims 2, 5 and 6, Signals coming from the communication portion of the circuit are input to a DAC 41 which converts the digital R,G,B signals to analog signals and the encoder 42 which encodes the analog R, G, B signal to an NTSC or PAL signal. A selector 44 is an analog multiplexer MUX, for selecting the external image signal received from the DSP 18 of the camera unit 2 or the OSD image signal received from the encoder 42 and feeding the selected image signals to the display 8. The display 8 includes the LCD driver 46 and the color LCD and displays characters and images on the color LC 48. (Para 40) In regard to Claim 7, Kim et al. also discloses the RS232C interface 38 connected to the portable phone controller is an interface for downloading/uploading from/to a PC. (Para 38)

Method Claims 10-21 is/are rejected as in the apparatus claims, since the recited elements perform the claimed steps of Claims 1-8.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (U.S. Pub. No. 2005/0085263) in view of Konishi (U.S. Pat. No. 6,915,119)

Kim et al. teaches a “Portable Composite Communication Terminal for Transmitting/receiving Voice and Images and Operation Method and Communication System thereof.” Kim et al. does not disclose the device having a Bluetooth interface.

Konishi teaches a “Telephone and Data Transmitting Method for Telephone.”

Konishi discloses the wireless communicating device 14 uses a light such as an electric wave, a supersonic wave and an infrared light. In the case of the electric wave, the wireless communicating device 14 may use the Bluetooth. (Col 2-3, Lines 65-68 to 1-3)

It would have been obvious to one of ordinary skill in the art to include the Bluetooth interface and the analog signals to be transferred to an external video apparatus as taught by Konishi in order to be able to store images or characters on a communications server or to share images with other in a network.

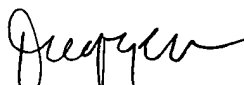
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Elcenko whose telephone number is (571) 272-8066. The examiner can normally be reached on M-F 8:30 AM through 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ee


DUC NGUYEN
PRIMARY EXAMINER